

January 24, 2008

CERTIFIED MAIL 7006 3450 0003.6481 7028**Return Receipt Requested**

Mr. David Garrett
RCRA Corrective Actions
US EPA Region VII
901 N. Fifth St.
Kansas City, Kansas 66101

**RCAP RECEIVED**

JAN 28 2008

**RE: ASBESTOS SOLID WASTE MANAGEMENT UNIT (SWMU) CLOSURE DOCUMENT;
OCCIDENTAL CHEMICAL CORPORATION, WICHITA PLANT RCRA ID# KSD007482029**

Dear Mr. Garrett:

Per EPA's request for further information concerning the closure of the Asbestos SWMU, Occidental is submitting this document and additional drawings to address the concerns of EPA and KDHE.

History of Asbestos Surface Impoundment

The Wichita facility, currently owned by Occidental Chemical Corporation began operations in the early 1950's as an Inorganic plant. An Asbestos Surface Impoundment was operated from 1951 to 1977. Asbestos containing waste generated during the regeneration of diaphragm cells that are used in the manufacture of sodium hydroxide were placed into this area located in the southern portion of the inorganic production area. The waste was transferred to the impoundment from the Waste Asbestos Handling area that is located within the Cell Repair building in the southern portion of the Facility. In 1977, the use of the impoundment was ceased and the area was capped with soil, concrete, and rock as warranted by construction of additional operational units in the area.

Discovery of Asbestos Surface Impoundment

As previously indicated during routine maintenance activities asbestos was detected at the area designated as the Asbestos Surface Impoundment on *Figure 4-1 SWMU and AOC Location Map* in the RFI On-Site Investigation. The General Maintenance crew was using a skid loader to level the area next to Cooling Tower #4 in order to place additional rock to prevent standing water. During the process of scraping 4-6 inches in depth, the maintenance crew discovered a grayish white material that they assumed was asbestos. It is important to note every employee at the facility is required to have General Asbestos Awareness training annually for this exact purpose.

Investigation of Asbestos Surface Impoundment

The General Maintenance crew immediately notified the plant's Industrial Hygienist, David Kuttler, of the discovery and he took three individual grab samples in the area for proper characterization of the material. The samples were sent to Quantem Laboratories in Wichita, Kansas and each sample was confirmed as asbestos [*Attachment 1 Asbestos Sampling Analysis*]. As soon as the samples were taken, the area was covered with tarps and plywood and only limited access was granted until a final corrective measure could be determined.



Additional soil sampling has been deferred until the RFI Investigation of the Inorganic section of the facility. The groundwater sampling will be addressed with the Fall 2008 semi-annual monitor well sampling event utilizing the Appendix IX constituent list. There are several monitor wells down gradient of the area that is referred to as the Asbestos Surface Impoundment.

Corrective Measures for Containment

Several remedial options were discussed, the first of which was to remove the asbestos in a manner that would protect human exposure and prevent further environmental impact. The plan included wetting the area and digging with a front loader; however once it was determined that the asbestos was more abundant than initially thought the human exposure and environmental impact risks of removal were determined to be greater than if the asbestos was left in place.

In order to prevent further disturbance of the area or human exposure it was determined that the area should be contained rather than remediated. Plant Engineering, with assistance from Environmental, immediately began the process of determining the proper method of containment and it was determined that a concrete cap would be necessary for the asbestos area to sustain heavy machinery weights. As the attached drawings indicate, a sustainable concrete cap was constructed to contain the asbestos and assure proper drainage of the area. Obviously, from previous photos and drawings, the asbestos SWMU could potentially be much larger but as indicated the entire area was not delineated because all but the area directly east of Cooling Tower #4 has previously been concreted and is within process areas. Drawing # 3-1-2-15639 [Attachment 2 Asbestos SWMU Concrete Cap] represents the area that was investigated. The investigated area was capped with concrete in November 2006.

Maintenance and Control of Corrective Measure

The area that was capped is adjacent to Cooling Tower #4 and is only utilized during maintenance activities performed on the Cooling Towers. These activities may include heavy machinery, which was accounted for when determining the durability of the concrete. The concrete cap meets the following requirements:

- Concrete 4000psi Mix $\frac{3}{4}$ " Aggregate
- Reinforcement 50 lbs per cubic yd Novocon 1050 Steel Fibers
- Prep, forming, & placement w/o grading of existing soil/gravel surface
- Slab thickness varies with a 4" minimum

The Wichita facility has a preventive maintenance program, which requires routine inspection of concrete areas to determine durability and sustainability. This area has been added to the preventative maintenance inspection program on a biennial schedule. In addition, all major excavation or construction projects are routed through the MOC (Management of Change) process and the E&H Checklist (Environmental & Health) so that they can be reviewed by the HESS (Health, Environment, Safety, and Security) group to attain the proper permitting and to protect human health or prevent environmental impacts.



Current Disposal of Asbestos at Facility

Since 1977, the plant's asbestos waste has been disposed in licensed off-site facilities. Management controls are in place to prevent employee and contractor exposure to asbestos. Furthermore, the migration potential of the asbestos in the capped impoundment to the surrounding subsurface soil and groundwater is minimal, therefore; complete closure of this area will be deferred until Facility closure.

If you have any questions, please call me at 316/529-7204.

Sincerely,



Lisa R. Thurman
Environmental Engineer

c: Devin Pollock; KDHE

CERTIFIED MAIL: 7006 3450 0003 6481 7073

L0801005



Occidental Chemical Corporation



ATTACHMENT 1



Occidental Chemical Corporation



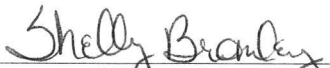


2033 Heritage Park Drive / Oklahoma City, OK 73120 / (405) 755-7272 / Fax (405) 755-2058

Polarized Light Microscopy Asbestos Analysis Report

Quantem Lab No.	125751	Client:	Precision Environmental Services
Account Number:	A109		1405 South Mosley
Date Received:	07/01/2005		Wichita, KS 67211
Received By:	Rachel Molieri		
Date Analyzed:	07/05/2005	Project:	Basic Chemicals
Analyzed By:	Shelly Bromley	Project Location:	N/A
Methodology:	EPA 600	Project Number:	N/A

Quantem Sample ID	Client Sample ID	Composition	Color / Description	Asbestos (%)	Non-Asbestos Fiber (%)
001	W16-05	Homogeneous	Gray Insulation	Asbestos Present Chrysotile 75	NA

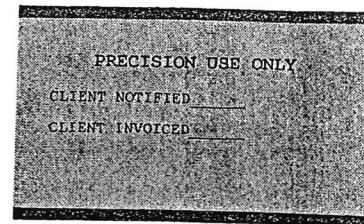

Shelly Bromley, Analyst

7/5/05
Date of Report

PRECISION
ENVIRONMENTAL
SERVICES

1405 S MOSLEY • WICHITA, KS 67211
(316)265-0012 • FAX-265-8073

125751



CHAIN OF CUSTODY

DATE 6-30-05

PAGE 1 OF 1

CLIENT BASIS CHEMICALS

PROJECT _____

ADDRESS _____

ADDRESS _____

PO # - WIL BE FAXED

BLDG # _____

PHONE: 316-529-7314

JOB # _____

FAX: 316-529-7333

ASBESTOS ☒ TEST FOR:
LEAD _____
OTHER _____

TYPE OF ANALYSIS:
PIM ☒
TEM _____
ATOMIC ABSORPTION _____
TCLP _____
OTHER _____

TURNAROUND: ☐ Rush ☐ Same Day ☒ 24 hour ☐ Standard

SAMPLE NUMBER	TYPE OF CONTAINER	DESCRIPTION OF MATERIAL	
W16-05	BAGGIE	GREY FIBROUS MATERIAL	

INSPECTOR/SAMPLER DAVID KUTTLER JR

RELINQUISHED BY David Kutler DATE 6-30-05
Leon Conway 6-30-05

RECEIVED BY Leon Conway DATE 6-30-05
Amelia 7/1/05 9:45am



2033 Heritage Park Drive / Oklahoma City, OK 73120 / (405) 755-7272 / Fax (405) 755-2058

Polarized Light Microscopy Asbestos Analysis Report

QuanTEM Lab No.	125972	Client:	Precision Environmental Services
Account Number:	A109		1405 South Mosley
Date Received:	07/08/2005		Wichita, KS 67211
Received By:	Rachel Molieri		
Date Analyzed:	07/08/2005	Project:	Basic Chemicals
Analyzed By:	Amy Gill	Project Location:	N/A
Methodology:	EPA 600	Project Number:	N/A

QuanTEM Sample ID	Client Sample ID	Composition	Color / Description	Asbestos (%)	Non-Asbestos Fiber (%)
001	W17-05	Homogeneous	Gray Insulation	Asbestos Present Chrysotile 20	NA
002	W18-05	Homogeneous	Black Insulation	Asbestos Present Chrysotile 15	NA

A handwritten signature in black ink, appearing to read "Amy Gill", is written over a horizontal line.

Amy Gill, Analyst

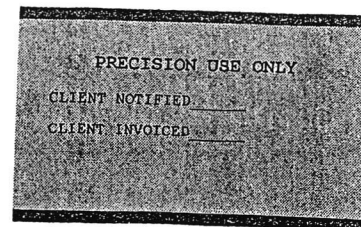
7/8/05

Date of Report

**PRECISION
ENVIRONMENTAL
SERVICES**

1405 S MOSLEY • WICHITA, KS 67211
(316)265-0012 • FAX-265-8073

125972



CHAIN OF CUSTODY

DATE 7-7-05

PAGE OF

CLIENT BASEL CHEMICALS

PROJECT

ADDRESS

ADDRESS

PO # - 87 FAX

BLDG #

PHONE: 316-529-7314

JOB #

FAX: 316-529-7333

ASBESTOS ☒ TEST FOR:

LEAD

OTHER

TYPE OF ANALYSIS:

PLM ☒

TEM

ATOMIC ABSORPTION

TCLP

OTHER

TURNAROUND: ☐ Rush ☐ Same Day ☒ 24 hour ☐ Standard

SAMPLE NUMBER	TYPE OF CONTAINER	DESCRIPTION OF MATERIAL	
W17-05	BAGGIE	FIBER MAX	
W18-05	"	" "	

INSPECTOR/SAMPLER DAVID KUTLEK

RELINQUISHED BY DATE 7/7/05

RECEIVED BY DATE 7/7/05

David Kutlek
Am Chup 7/7/05

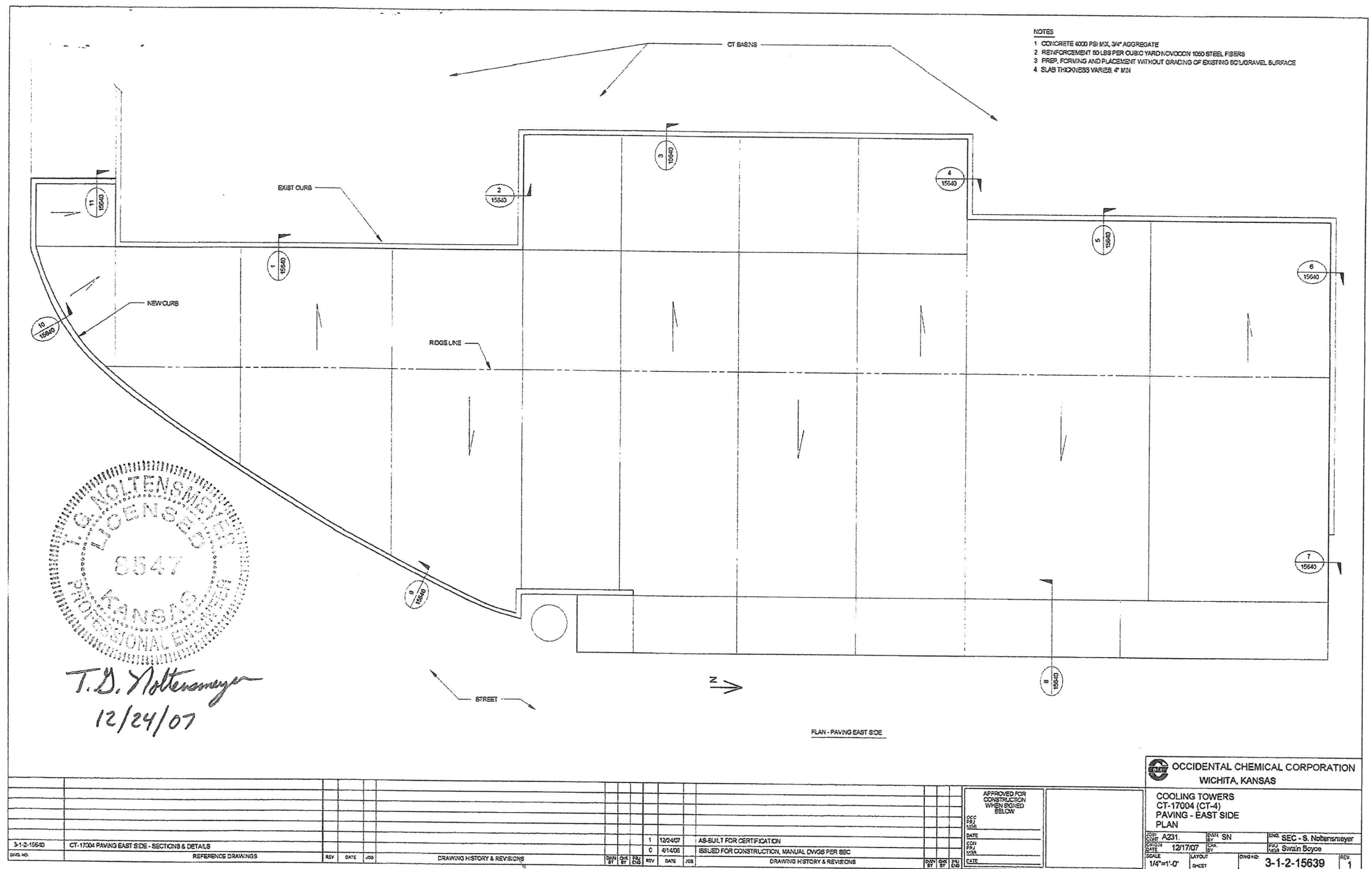
Am Chup 7/7/05
Rmdm 7/8/05 8:45am

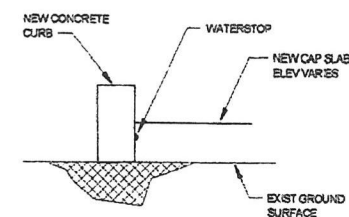
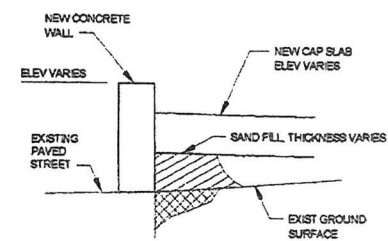
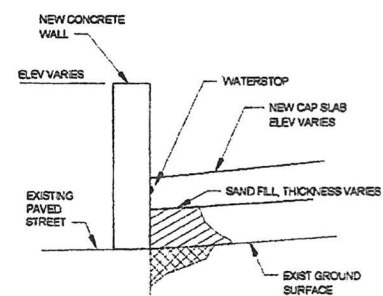
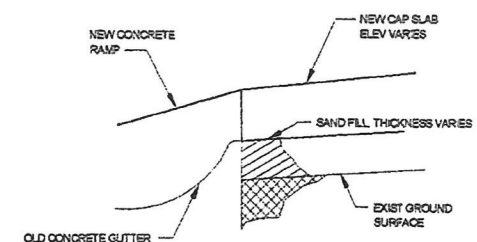
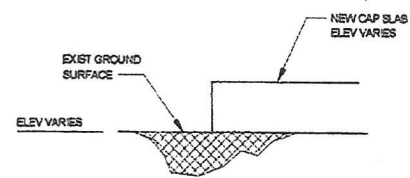
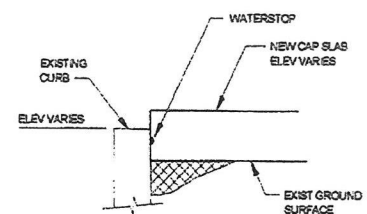
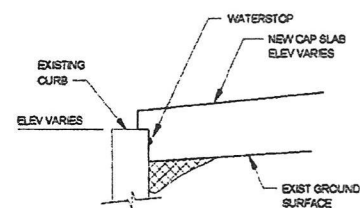
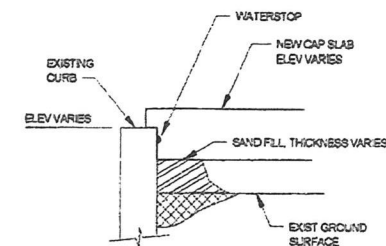
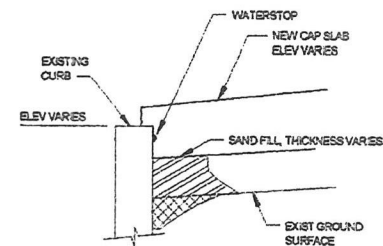
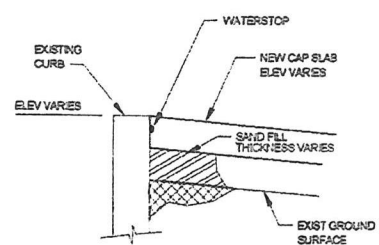
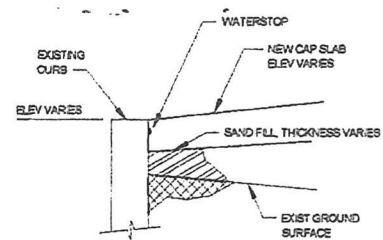
ATTACHMENT 2



Occidental Chemical Corporation







T.D. Mottensmeyer
12/24/07

[illegible]

CERTIFIED MAIL: 7006 3450 0003 6481 7127
Return Receipt Requested

January 30, 2008

Everett Spellman
Kansas Dept. of Health & Environment
Bureau of Waste Management
1000 SW Jackson St., Suite 320
Topeka, Ks. 66612-1366

**Re: CURRENT NOTIFICATION OF REGULATED WASTE ACTIVITY FOR KANSAS & UPDATED
CONTACT INFORMATION, PERMIT PAGES; OCCIDENTAL CHEMICAL CORPORATION;
WICHITA PLANT; EPA ID# KSD007482029**

Dear Mr. Spellman:

Please find the current N.O.R., the *Part B Certification* and *Attachment 6* to insert in the RCRA Part A Permit Application for the Wichita facility. The current plant manager is John Brenon, he has replaced Eugene Thomas, who was transferred to Occidental's corporate offices, and therefore the Certification page has been updated to reflect the change. In addition, Attachment 6, List of Emergency Coordinators, has been updated. This is an official notification to meet the requirements of 40 CFR 270.40(b). If you have any questions regarding this submittal, please contact me at (316) 529-7204.

Sincerely,



Lisa R. Thurman
Environmental Engineer

Cc: David Garrett, EPA Region VII; **Certified Mail – Article No. 7006 3450 0003 6481 7110**

L0801011



RCAP-RECEIVED
FEB 05 2008



	B. Name of Site's Operator: Occidental Chemical Corporation	Date Became Operator (mm/dd/yyyy): 06/07/05
	Operator Type: <input checked="" type="checkbox"/> Private County District Federal Indian Municipal State Other	

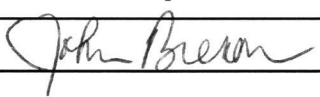
10. Type of Regulated Waste Activity (Mark the appropriate boxes for activities that apply to your site. See pages 5–8 of the instructions)

<p>A. Hazardous Waste Activities</p> <p>1. Generator of Hazardous Waste (Choose only one of the following four classifications)</p> <p><input checked="" type="checkbox"/> a. EPA: 1,000 kg/mo (2,200 lbs in any single mo.) or more of non-acute hazardous waste, greater than 1 kg of acute hazardous waste; or b(1). KSG Sub-Class 1: 100 kg or more and less than 1,000 kg (220 - 2,200 lbs in any single mo.) of non-acute hazardous waste; or b(2). KSG Sub-Class 2: 25 kg or more and less than 100 kg (55 - 220 lbs in any single mo.) of non-acute hazardous waste; or c. KSSQG: Less than 25 kg/mo (55 lbs./mo.) of non-acute hazardous waste</p> <p>In addition, indicate other generator activities. (Mark all that apply)</p> <p style="margin-left: 40px;">d. United States Importer of Hazardous Waste</p> <p style="margin-left: 40px;">e. Mixed Waste (hazardous and radioactive) Generator</p>	<p style="text-align: center;">For Items 2 through 6, mark all that apply.</p> <p>2. Transporter of Hazardous Waste</p> <p><input checked="" type="checkbox"/> 3. Treater, Storer, or Disposer of Hazardous Waste (at your site) Note: A hazardous waste permit is required for this activity.</p> <p>4. Recycler of Hazardous Waste (at your site) Note: A hazardous waste permit may be required for this activity.</p> <p>5. Exempt Boiler and/or Industrial Furnace</p> <p style="margin-left: 40px;">a. Small Quantity On-site Burner Exemption</p> <p style="margin-left: 40px;">b. Smelting, Melting, and Refining Furnace Exemption</p> <p><input checked="" type="checkbox"/> 6. Underground Injection Control</p>
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<p>B. Universal Waste Activities</p> <p>1. Large Quantity Handler of Universal Waste (accumulate 5,000 kg or more) [refer to Kansas regulations to determine what is regulated]. Indicate types of universal waste generated and/or accumulated at your site. (Mark all boxes that apply):</p> <p style="text-align: right; margin-right: 50px;"><u>Generate</u> <u>Accumulate</u></p> <p>a. Batteries</p> <p>b. Pesticides</p> <p>c. Thermostats</p> <p>d. Lamps</p> <p>e. Other (specify) _____</p> <p>f. Other (specify) _____</p> <p>g. Other (specify) _____</p> <p>2. Destination Facility for Universal Waste Note: A hazardous waste permit may be required for this activity.</p>	<p>C. Used Oil Activities (Mark all boxes that apply.)</p> <p>1. Used Oil Transporter - Indicate Type(s) of Activity(ies)</p> <p style="margin-left: 40px;">a. Transporter</p> <p style="margin-left: 40px;">b. Transfer Facility</p> <p>2. Used Oil Processor and/or Re-refiner - Indicate Type(s) of Activity(ies)</p> <p style="margin-left: 40px;">a. Processor</p> <p style="margin-left: 40px;">b. Re-refiner</p> <p>3. Off-Specification Used Oil Burner</p> <p>4. Used Oil Fuel Marketer - Indicate Type(s) of Activity(ies)</p> <p style="margin-left: 40px;">a. Marketer Who Directs Shipment of Off-Specification Used Oil to Off-Specification Used Oil Burner</p> <p style="margin-left: 40px;">b. Marketer Who First Claims the Used Oil Meets the Specifications</p>
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11. Description of Hazardous Wastes (See page 9 of the instructions)						
Waste Codes for Federally Regulated Hazardous Wastes. Please list the waste codes of the Federal hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g., D001, D003, F007, U112). Use an additional page if more spaces are needed.						
D001	D002	D004	D005	D006	D007	D008
D009	D010	D013	D018	D019	D021	D022
D028	D029	D032	D033	D034	D035	D037
D039	D040	D041	D042	D043	F001	F002
F003	F005	F021	F024	F025	F027	F039
K016	U043	U044	U045	U076	U077	U078

12. Comments (See page 9 of the instructions)									
U079	U080	U127	U128	U129	U131	U159	U208	U209	U210
U211	U226	U227	U228						

13. Certification. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. (See page 9 of the instructions)		
Signature of owner, operator, or an authorized representative	Name and Official Title (type or print)	Date Signed (mm/dd/yyyy)
	John Brenon; Plant Manager	01/30/08

RETURN COMPLETED 8700-12 FORM TO:

**KDHE-BWM
1000 SW JACKSON, SUITE 320
TOPEKA, KANSAS 66612-1366**

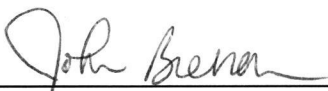
SECTION L

PART B CERTIFICATION

L-1 Part B Certification 40 CFR 270.11

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to be the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Date: 1/30/08



John Brenon
Plant Manager
Occidental Chemical Corporation, Wichita Plant
(a subsidiary of Occidental Chemicals Corporation)

ATTACHMENT 6

Occidental Chemicals Corporation List of Emergency Contacts

Name	Address	Home #	Cell #	Pager #
Darbe, Orlin Max	11617 Cedar Lane Maize, KS 67101	(316) 796-0926	(316) 761-4838	(316) 529-7580 1100
Liles, Kelly Dennis	16600 W 48th Circle North Colwich, KS 67030	(316) 796-1910	(316) 761-4838	(316) 529-7580 1100
Loger, Bryan K	807 Park Glen Ct Clearwater, KS 67026	(316) 584-2991	(316) 761-4838	(316) 529-7580 1100
Madzey, William Allan	2800 East Boundary Road Pretty Prairie, KS 67570	(620) 459-6833	(316) 761-4838	(316) 529-7580 1100
Waggy, Jeff	911 Garfield Cheney, KS 67025	(316) 540-0450	(316) 761-4838	(316) 529-7580 1100